

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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United States of America, and States of the
United States, *ex rel.* Patrick Donohue,

Plaintiffs,

Case No. 20-cv-05396 (GHW)(SDA)

-against-

RICHARD CARRANZA, in his official capacity
as the former Chancellor of New York City
Department of Education, *et al.*

**NOTICE AND STIPULATION
OF VOLUNTARY PARTIAL
DISMISSAL**

Defendants.

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IT IS HEREBY STIPULATED AND AGREED by and between the respective undersigned counsel, and attorneys of record for, Plaintiff-Relator, PATRICK DONOHUE, and Defendants NEW YORK CITY DEPARTMENT OF EDUCATION and its former Chancellors in their official capacities, RICHARD CARRANZA and MEISHA PORTER (collectively, “NYC DOE”) (Plaintiff-Relator and NYC DOE collectively the “Parties”), that Plaintiff-Relator hereby voluntarily dismisses WITH PREJUDICE the claims brought under New York State and City law in the above-captioned action (*i.e.*, the fifth through the tenth causes of action in the Second Amended Complaint [ECF No. 19]) against NYC DOE pursuant to Federal Rules of Civil Procedure 41(a)(1)(A).

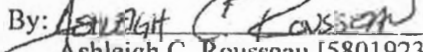
The Parties agree and acknowledge that, pursuant to this Court’s Order of March 3, 2021 [ECF No. 5], voluntary dismissal of the New York State and City law claims brought by Plaintiff-Relator against NYC DOE is subject to approval by this Court and, to the extent required under New York State and City law, the New York State Attorney General. Pursuant to this Court’s Order of September 19, 2022 [ECF No. 191], Plaintiff-Relator sought and received such approval from the New York State Office of the Attorney General.

Accordingly, the Parties hereby respectfully request that this Court approve the dismissal of the claims brought under New York State and City law by Plaintiff-Relator against NYC DOE in the above-captioned action, as set forth in fifth through tenth causes of action of the Second Amended Complaint [ECF No. 19], WITH PREJUDICE as to the Relator, and WITHOUT PREJUDICE as to the State of New York.

Date: October __, 2022
New York, New York

Brain Injury Rights Group, Ltd.

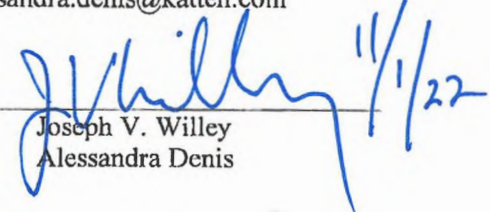
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New York City Department of Education,
and Richard Carranza and Meisha Porter,
in their official capacities as former
Chancellors of the New York City
Department of Education

SO ORDERED

Dated:

HONORABLE GREGORY H. WOODS
UNITED STATES DISTRICT JUDGE